

# HOUSE JOURNAL

SIXTY-SECOND LEGISLATURE, REGULAR SESSION

## PROCEEDINGS

FIFTY-SIXTH DAY—MONDAY, APRIL 19, 1971

The House met at 11:00 a.m. and was called to order by the Speaker.

The roll of the House was called and the following Members were present:

Mr. Speaker	Davis, H.	Jones, G.	Reed
Adams	Denton	Jungmichel	Rodriguez
Allen, Joe	Doran	Kaster	Rosson
Allen, John	Doyle	Kilpatrick	Salem
Allred	Dramberger	Kubiak	Salter
Angly	Earthman	Lee	Santiesteban
Atwood	Farenthold	Lemmon	Schulle
Baker	Finnell	Lewis	Shannon
Bass, B.	Finney	Ligarde	Sherman
Bass, T.	Floyd	Lombardino	Short
Beckham	Foreman	Longoria	Silber
Bigham	Golman	Lovell	Simmons
Blanton	Grant	McAlister	Slider
Blythe	Graves	McKissack	Smith
Bowers	Hale	Mengden	Solomon
Boyle	Hanna, Joe	Moncrief	Spurlock
Braecklein	Hannah, John	Moore, A.	Stewart
Braun	Harding	Moore, T.	Stroud
Burgess	Harris	Murray	Swanson
Bynum	Hawkins	Nabers	Tarbox
Caldwell	Hawn	Neugent, D.	Traeger
Calhoun	Haynes	Newton	Truan
Carrillo	Head	Nichols	Tupper
Cates	Heatly	Niland	Uher
Cavness	Hendricks	Ogg	Vale
Christian	Hilliard	Orr	Von Dohlen
Clark	Holmes, T.	Parker, C.	Ward
Coats	Howard	Parker, W.	Wieting
Cobb	Hubenak	Patterson	Williams
Cole	Ingram	Poerner	Williamson
Craddick	Johnson	Poff	Wolff
Cruz	Jones, D.	Presnal	Wyatt
Daniel	Jones, E.	Price	

### Absent

Atwell	Gammage	Kost	Nugent, J.
Clayton	Garcia	Moore, G.	Sanchez
Davis, D.	Holmes, Z.	Moreno	Semos
Finck	Hull	Nelms	Slack

### Absent-Excused

Agnich	Pickens	Wayne
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A quorum of the House was announced present.

The Invocation was offered by Chaplain Clinton Kersey.

#### LEAVES OF ABSENCE GRANTED

The following Member was granted leave of absence for today on account of important business:

Mr. Pickens, temporarily for today, on motion of Mr. Uher.

The following Member was granted leave of absence for today and the remainder of the week on account of illness:

Mr. Wayne on motion of Mr. Uher.

On motion of Mr. McKissack, Mr. Agnich was granted leave of absence for today on account of a death in the family.

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Representatives Clayton, Jim Nugent, Garcia, and Nelms entered the House and were announced present.

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#### MESSAGE FROM THE SENATE

Austin, Texas, April 19, 1971

Honorable Gus Mutscher, Speaker of the House of Representatives

Sir: I am directed by the Senate to inform the House that the Senate has passed the following:

SB 11, By Aikin: Appropriating money for the operation of state government; and declaring an emergency.

Respectfully,  
CHARLES A. SCHNABEL  
Secretary of the Senate

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Representatives Griffith Moore, Zan Holmes, Slack, Finck, and Semos entered the House and were announced present.

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#### CORRECTION IN BILL REFERRALS

SB 76 which had been inadvertently referred to the Committee on State Affairs was rereferred to the Committee on Criminal Jurisprudence.

SB 805 which had been inadvertently referred to the Committee on Judiciary was rereferred to the Committee on Counties.

## CONGRATULATORY RESOLUTIONS ADOPTED

The following Congratulatory Resolutions were adopted unanimously:

HSR 359, by Craddick: Commending the Midland Lee girls' swimming team.

HSR 363, by Salem: Commending the management and staff of KEYS radio station of Corpus Christi.

Representative Kost entered the House and was announced present.

## HB 1458 WITH SENATE AMENDMENTS

Mr. John Allen called up with Senate Amendments for consideration at this time,

HB 1458, Amending the Water Code.

On motion of Mr. John Allen, the House concurred in the Senate Amendments to HB 1458 by the following vote:

Yeas—135

Adams	Craddick	Holmes, Z.	Nelms
Allen, John	Daniel	Howard	Neugent, D.
Allred	Davis, H.	Hubenak	Newton
Angly	Denton	Hull	Nichols
Atwell	Doran	Ingram	Niland
Atwood	Doyle	Johnson	Nugent, J.
Baker	Dramberger	Jones, D.	Ogg
Bass, B.	Earthman	Jones, E.	Orr
Bass, T.	Farenthold	Jones, G.	Parker, C.
Beckham	Finck	Jungmichel	Parker, W.
Blanton	Finnell	Kaster	Poerner
Blythe	Floyd	Kilpatrick	Poff
Bowers	Foreman	Kost	Presnal
Boyle	Garcia	Kubiak	Price
Braecklein	Golman	Lee	Reed
Braun	Grant	Lemmon	Rodriguez
Burgess	Hale	Lewis	Rosson
Bynum	Hanna, Joe	Ligarde	Salem
Caldwell	Hannah, John	Lombardino	Sanchez
Calhoun	Harding	Lovell	Santiesteban
Carrillo	Harris	McAlister	Schulle
Cates	Hawkins	McKissack	Semos
Cavness	Hawn	Mengden	Shannon
Christian	Haynes	Moncrief	Sherman
Clark	Head	Moore, A.	Short
Clayton	Heatly	Moore, G.	Silber
Coats	Hendricks	Moreno	Simmons
Cobb	Hilliard	Murray	Slack
Cole	Holmes, T.	Nabers	Slider

Smith	Swanson	Uher	Williams
Solomon	Tarbox	Vale	Williamson
Spurlock	Traeger	Von Dohlen	Wolff
Stewart	Truan	Ward	Wyatt
Stroud	Tupper	Wieting	

## Nays—4

Bigham	Graves	Moore, T.	Patterson
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## Absent

Allen, Joe	Davis, D.	Gammage	Salter
Cruz	Finney	Longoria	

## Absent-Excused

Agnich	Pickens	Wayne
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Mr. John Allen moved to reconsider the vote by which the House concurred in the Senate Amendments to HB 1458 and to table the motion to reconsider.

The motion to table prevailed.

## HB 1458—TEXT OF SENATE AMENDMENTS

Amend HB 1458, Chapter 54, Subchapter C, Sec. 54.118, by deleting the first paragraph thereof and substituting therefor the following:

“(a) A director who is financially interested in any contract with the district or a director who is an employee of a person who or firm which is financially interested in any contract with the district shall disclose that fact to the other directors, and the disclosure shall be entered into the minutes of the meeting.”

Amend HB 1458 by striking Section 54.016 and substituting in lieu thereof the following:

## Sec. 54.016. Consent of City

(a) No land within the corporate limits of a city or within the extra-territorial jurisdiction of a city, shall be included in a district unless the city grants its written consent, by resolution or ordinance, to the inclusion of the land within the District. The request to a city for its written consent to the creation of a district, shall be signed by a majority in value of the holders of title of the land within the proposed district as indicated by the county tax rolls or, if there are more than 50 persons holding title to the land in the proposed district as indicated by the county tax rolls, the request to the city will be sufficient if it is signed by 50 holders of title to the land in the district. A petition for the written consent of a city to the inclusion of land within a district shall describe the boundaries of the land to be included in the district by metes and bounds or by lot and block number, if there is a recorded map or plat and survey of the area, and state the general nature of the work proposed to be done, the necessity for the work, and the cost of the project as then estimated by those filing the petition.

(b) If the governing body of a city fails or refuses to grant permission for the inclusion of land within its extraterritorial jurisdiction in a district within 60 days after receipt of a written request, a majority of the electors in the area proposed to be included in the district or the owner or owners of 50 percent or more of the land to be included may petition the governing body of the city and request the city to make available to the land the water or sanitary sewer service contemplated to be provided by the district.

(c) If the governing body of the city and a majority of the electors or the owner or owners of 50 percent or more of the land to be included in the district fail to execute a mutually agreeable contract providing for the water or sanitary sewer service requested within six months after receipt of the petition, the failure shall constitute authorization for the inclusion of the land in the district under the provisions of this section. Authorization for the inclusion of such land within the district under the provisions of this section shall mean only authorization to initiate proceedings to include the land within the district as otherwise provided by this act.

(d) The provisions of this section relating to the method of including land in a district without securing the written consent of a city applies only to land within the extraterritorial jurisdiction of a city and does not apply to land within the corporate limits of a city. Under no circumstances shall land within the corporate limits of a city be included in a district without the written consent, by ordinance or resolution, of the city. The provisions of this section shall apply whether the land is proposed to be included in the district at the time of creation of a district or to be included by annexation to a district.

(e) A city may provide in its written consent to the inclusion of land in a district, that the district construct all facilities to serve the land in accordance with plans and specifications which have been approved by the city. The city may also provide in its written consent that the city shall have the right to inspect all facilities being constructed by a district. The city's consent to the inclusion of land in the district may also contain restrictions on the terms and provisions of the district's bonds and notes issued to provide service to the land and conditions on the sale of the district's bonds and notes if the restrictions and conditions do not generally render the bonds and notes of districts in the city's extraterritorial jurisdiction unmarketable. The city's consent to the inclusion of land in a district may restrict the purposes for which a district may issue bonds to the purposes of the purchase, construction, acquisition, repair, extension and improvement of land, easements, works, improvements, facilities, plants, equipment and appliances necessary to:

(1) provide a water supply for municipal uses, domestic uses and commercial purposes;

(2) collect, transport, process, dispose of and control all domestic, industrial or communal wastes whether in fluid, solid or composite state; and

(3) gather, conduct, divert and control local storm water or other local harmful excesses of water in the district and the payment of organization expenses, and operation expenses during construction and interest during construction.

(f) In addition to all the rights and remedies provided by the laws of

the state in the event a district violates the terms and provisions of a city's written consent, the city shall be entitled to injunctive relief or a writ of mandamus issued by a court of competent jurisdiction restraining, compelling or requiring the district and its officials to observe and comply with the terms and provisions prescribed in the city's written consent to the inclusion of land within the district.

Amend HB 1458 by striking all of Section 54.519(a) and substituting in lieu thereof the following:

Sec. 54.519. Service to areas outside the district.

(a) A district may purchase, construct, acquire, own, operate, repair, improve, or extend all works, improvements, facilities, plants, equipment, and appliances necessary to provide a water system for areas contiguous to or in the vicinity of the district provided the district does not duplicate a service of another public agency. A district shall not provide a water or a sanitary sewer system to serve areas outside the district which is also within a city without securing a resolution or ordinance of the city granting consent for the district to serve the area within the city.

Amend HB 1458 by striking all above the enacting clause and substituting the following:

A bill to be entitled An Act relating to the creation, establishment, consolidation, dissolution, maintenance, operation, financing, powers, and duties of municipal utility districts; providing for the conversion of certain conservation and reclamation districts into municipal utility districts; adding Chapter 54 to the Water Code; and declaring an emergency.

Amend caption to conform to body of bill.

#### INTRODUCTION OF HB 1722

Mr. Craddick asked unanimous consent to introduce and have placed on first reading HB 1722.

There was no objection offered.

#### CONGRATULATORY RESOLUTION ADOPTED

The following Congratulatory Resolution was adopted unanimously:

HSR 364, by Simmons: Commending students of Herman Hirsh Elementary School, San Antonio, Texas.

On motion of Mr. Simmons, the names of all the Members of the House were added to the resolution as signers thereof.

#### INTRODUCTION OF HB 1723

Mr. Cavness asked unanimous consent to introduce and have placed on first reading HB 1723.

There was no objection offered.

## MASCOT RESOLUTIONS

The following Mascot Resolutions were referred to the Committee on House Administration:

HSR 360, by Newton: Naming Catherine Marsha Head Mascot of the House.

HSR 361, by Head and Harris: Naming Thayer Stiles Patterson Mascot of the House.

HSR 362, by Harris and Head: Naming Neil Thayer Patterson Mascot of the House.

## HOUSE BILLS ON FIRST READING

The following House Bills were today laid before the House, read first time and referred to Committees, as follows:

By Lovell:

HB 1718, A bill to be entitled An Act relating to the creation, administration, powers, duties, and financing of Grapeland Hospital District of Houston County, Texas by authority of Section 9, Article IX, Constitution of the State of Texas; and declaring an emergency.

Referred to Committee on Counties.

By Tupper, Niland, Moreno, and Santiesteban:

HB 1719, A bill to be entitled An Act relating to the composition of the Board of Trustees of the Firemen, Policemen and Fire Alarm Operators Pension Fund in certain cities; providing for the modification of benefits and eligibility requirements of the fund by the Board of Trustees; amending Section 1, Chapter 101, Acts of the 43rd Legislature, 1st Called Session, 1933, as amended (Article 6243b, Vernon's Texas Civil Statutes), and adding a Section 10A; and declaring an emergency.

Referred to Committee on Urban Affairs.

By Traeger:

HB 1720, A bill to be entitled An Act defining the word "premise" in connection with the sale of alcoholic beverages; amending Subsection 7, Section 3a, Article I, Texas Liquor Control Act, as amended (Article 666-3a(7), Vernon's Texas Penal Code); and declaring an emergency.

Referred to Committee on Liquor Regulation.

By Wieting:

HB 1721, A bill to be entitled An Act amending Chapter 337, Acts of the 58th Legislature, 1963 (Article 8280-296, Vernon's Texas Civil Statutes), which provided for the creation and establishment of the Aransas County Conservation and Reclamation District, so as to provide that such district shall be empowered to purchase, acquire, construct, operate, maintain, improve, and extend a sanitary sewer system in and for the area of the said

district; providing for the issuance of revenue bonds for sanitary sewer system purposes; making certain findings in connection herewith; providing a severance clause; and declaring an emergency.

Referred to Committee on Conservation and Reclamation.

SCR 23—REFERRED TO COMMITTEE

(Granting the Eastland National Bank permission to sue the state, et al)

The Speaker laid before the House the following resolution:

SCR 23

Whereas, The Eastland National Bank held a recorded Deed of Trust Lien on property in Eastland County to secure a note of V. T. Moser; and

Whereas, In 1967 the State of Texas condemned part of the security for the lien without making the Eastland National Bank a party to the condemnation suit; and

Whereas, The Eastland National Bank has sued on the note and foreclosed the lien on the portion of the property not condemned, resulting in a deficiency judgment in favor of the Eastland National Bank, which is not collectible, execution having been issued and returned; and

Whereas, As a result of the improper joinder of parties by the State of Texas in the condemnation suit, the Eastland National Bank has suffered a loss of their security interest in the property; and

Whereas, As a result of the loss, the Eastland National Bank suffered damages in the amount of Seven Thousand Dollars (\$7,000); and

Whereas, The Eastland National Bank desires to bring suit against the State of Texas and the Texas Highway Department to recover the amount of the damages; now, therefore, be it

Resolved by the Senate of the 62nd Legislature, the House of Representatives concurring, That the Eastland National Bank is hereby granted permission to sue the State of Texas and the Texas Highway Department in a court of competent jurisdiction for a determination of all legal and equitable issues arising out of the transactions described in this Resolution and for any legal or equitable relief that may be properly granted; and, be it further

Resolved, That service of process shall be on the Attorney General and the Chairman of the State Highway Commission; and, be it further

Resolved, That nothing herein shall be construed as an admission on the part of the State of Texas, or any of the departments or agencies of the State of Texas or any of the political subdivisions of the State of Texas, as to the validity of any allegations or claims asserted in any such suit, but that all allegations and claims asserted in said suit must be proved as in other suits under the same rules of evidence and the same laws as apply in and govern the trial of other civil cases; and, be it further

Resolved, That nothing herein shall be construed as a waiver of any



defenses, of fact as well as of law, that may be asserted by or available to the State of Texas, of the Texas Highway Department, in said suit, but all such defenses are hereby specifically reserved.

The resolution was referred to the Committee on Judiciary.

#### SCR 34—REFERRED TO COMMITTEE

(Relating to investments by the Trustees of the Texas Pension and Retirement Systems)

The Speaker laid before the House the following resolution:

##### SCR 34

Whereas, The rapid population growth and obsolescence in existing housing has created a critical need for additional housing to be built in the State of Texas; and

Whereas, Availability of mortgage funds to the housing industry and to homebuyers is necessary to adequately provide for decent housing for all Texans; and

Whereas, The Texas Retirement Systems are authorized to invest in mortgages, thereby assisting in the production of housing for the citizens of the State of Texas; now, therefore, be it

Resolved by the Senate, the House of Representatives concurring, That the trustees of the major Texas Pension and Retirement Systems be encouraged to consider investing a substantial portion of their available resources in government insured or guaranteed mortgage backed securities, insofar as the law may permit; and, be it further

Resolved, That a copy of this Resolution be mailed to the various trustees of the Texas Pension and Retirement Systems.

The resolution was referred to the Committee on State Affairs.

#### SCR 45—REFERRED TO COMMITTEE

(Granting Southern Pacific Transportation Company permission to sue the state)

The Speaker laid before the House the following resolution:

##### SCR 45

Whereas, Southern Pacific Transportation Company (successor in interest to all rights and obligations of Southern Pacific Company), a railway corporation, incorporated under the laws of Delaware, doing business in Texas with its principal Texas office in Harris County, Texas, alleges that on February 18, 1964 it entered into a contract with the State of Texas under which the State of Texas assumed the entire responsibility for the maintenance of a highway to be constructed across the property and railroad tracks of said Southern Pacific Transportation Company and that because of the failure of the State of Texas to properly maintain said highway, James Leo Huth, a resident of Cameron County, Texas, was injured on August

13, 1966 while attempting to stop his automobile short of said tracks; and that because of such injuries judgment was entered against said Southern Pacific Transportation Company and in favor of James Leo Huth on December 12, 1968 in the United States District Court for the Southern District of Texas, Brownsville Division, in the amount of Sixty Thousand, One Hundred Seventeen Dollars and eighty-five cents (\$60,117.85), plus costs and interest; which judgment and interest, in the total amount of Sixty-four Thousand, Thirty-nine Dollars and six cents (\$64,039.06), have been paid and satisfied; and

Whereas, Southern Pacific Transportation Company desires to institute suit against the State of Texas for indemnity due it as a result of the said maintenance contract with the State of Texas and the failure of the State of Texas to so maintain said highway; now, therefore, be it

Resolved by the Senate of the State of Texas, the House of Representatives concurring, That the Southern Pacific Transportation Company is hereby given permission to sue the State of Texas in any court of competent jurisdiction. In case such suit is filed, service of citation or any other necessary process shall be made upon the Attorney General of the State of Texas. Either of the parties to the suit shall have the right of appeal, as in other civil cases; and, be it further

Resolved, That the sole purpose of this Resolution is to grant the afore-said Southern Pacific Transportation Company permission to bring suit against the State of Texas, and no admission of liability of the State or of any fact is made in any way by the passage of this Resolution, and it is specifically provided that the facts upon which it seeks to recover must be proved in court as in other civil cases.

The resolution was referred to the Committee on Judiciary.

#### SCR 47—REFERRED TO COMMITTEE

(Granting Ellis D. Wheeler permission to sue the state, et al)

The Speaker laid before the House the following resolution:

#### SCR 47

Whereas, In 1963 and prior thereto, Ellis D. Wheeler of Jefferson County, Texas was the owner of a portion of lots 5 and 6, Block 19, Range "I" of the lands of the Port Arthur Land Company, according to map or plat thereof recorded in Volume 1, Page 22, map records of Jefferson County, Texas, and being further identified as tract 9-A, R. W. 65-8-55, United States Highway No. 69; and

Whereas, It is alleged on or about the 14th day of February, 1963, the State of Texas, acting by and through the State Highway Department, caused or brought about the forcible eviction of Ellis D. Wheeler from the lands and premises hereinabove described, and it is further alleged that the sheriff of Jefferson County, acting under authority of the State Highway Department, did forcibly remove from said premises furniture, fixtures, clothing, and other property belonging to the said Ellis D. Wheeler, all without his consent and over his objections; and

Whereas, It is further alleged that Ellis D. Wheeler sustained property

losses and personal injuries as a result of the alleged conduct of the State Highway Department and its agent, the sheriff of Jefferson County; and

Whereas, Ellis D. Wheeler is desirous of determining the liability, if any, under the Constitution and laws of the State of Texas and of the United States, of the State Highway Department and the State of Texas for the alleged taking of his property and the alleged damages to his person and his property rights by virtue thereof; and for that purpose he desires to file suit in a court of competent jurisdiction in the county where the land is situated, to wit, Jefferson County, to have such liability, if any, and the amount thereof, judicially ascertained and determined; now, therefore, be it

Resolved by the Senate of the State of Texas, the House of Representatives concurring, That Ellis D. Wheeler of Jefferson County, Texas, be, and he is hereby, granted permission to file suit against the State of Texas and the State Highway Department in a court of competent jurisdiction in Jefferson County, Texas, where such land is situated, to determine the liability, if any, and the extent thereof, of the State of Texas and the State Highway Department on the matters herein alleged; and in the event such suit is filed, service of citation and other legal process shall be upon the Chairman of the State Highway Commission of the State of Texas and upon the Attorney General of the State of Texas, and said suit shall be filed and tried in the same manner and under the same rules and regulations as govern the filing and trial of other civil cases, reserving to either party the right of appeal as provided by law; and, be it further

Resolved, That the sole purpose of this Resolution is to grant permission to Ellis D. Wheeler to file such suit and no admission of any type whatsoever, of fact or of law, against the interest of the State of Texas or the State Highway Department is or shall be made by this resolution; and, be it further

Resolved, That nothing contained in this resolution shall be construed as an admission on the part of the State of Texas, the State Highway Department, or any of the departments or agencies of the State of Texas, or any of the political subdivisions of the State of Texas, as to the validity or merit of any allegations or claims, asserted or that may be asserted in such a lawsuit, but all allegations and claims asserted or that may be asserted in such lawsuit must be proved as in other suits under the same rules of evidence and the same laws as apply to and govern the trial of other civil cases; and, be it further

Resolved, That nothing herein shall be construed as a waiver of any defenses, of fact as well as of law, that may be asserted by or available to the State of Texas, the State Highway Department, or any of the departments or agencies of the State of Texas, or any of the political subdivisions of the State of Texas, in such suit, but all such defenses are hereby specifically reserved.

The resolution was referred to the Committee on Judiciary.

SCR 48—REFERRED TO COMMITTEE

(Granting Rufus H. Ingo permission to sue the state, et al)

The Speaker laid before the House the following resolution:

## SCR 48

Whereas, In 1963 and prior thereto, Rufus H. Ingo, of Jefferson County, Texas, was a tenant on a portion of Lots 5 and 6, Block 19, Range "I" of the lands of the Port Arthur Land Company, according to map or plat thereof recorded in Volume 1, Page 22, Map Records of Jefferson County, Texas, and being further identified as Tract 9-A, R.W. 65-8-55, United States Highway No. 69; and

Whereas, It is alleged on or about the 15th day of January, 1963, the State of Texas, acting by and through the State Highway Department, caused or brought about the forcible eviction of Rufus H. Ingo from the lands and premises hereinabove described, and it is further alleged that the sheriff of Jefferson County, acting under authority of the State Highway Department, did forcibly remove from said premises furniture, fixtures, clothing and other property belonging to the said Rufus H. Ingo, all without his consent and over his objections; and

Whereas, Rufus H. Ingo owned and operated on said premises a business known as Ingo's Package Store, which said business was being operated in compliance with all laws and regulations pertaining to such business; and

Whereas, It is further alleged that Rufus H. Ingo sustained property losses and business profits as a result of the alleged conduct of the State Highway Department and its agent, the sheriff of Jefferson County; and

Whereas, Rufus H. Ingo is desirous of determining the liability, if any, under the Constitution and laws of the State of Texas and of the United States, of the State Highway Department and the State of Texas for the alleged taking of his property and the alleged damages to his person and his property rights by virtue thereof; and for that purpose he desires to file suit in a court of competent jurisdiction in the county where the land is situated, to wit, Jefferson County, to have such liability, if any, and the amount thereof, judicially ascertained and determined; now, therefore, be it

Resolved by the Senate of the State of Texas, the House of Representatives concurring, That Rufus H. Ingo of Jefferson County, Texas, be, and he is hereby, granted permission to file suit against the State of Texas and the State Highway Department in a court of competent jurisdiction in Jefferson County, Texas, where such land is situated, to determine the liability, if any, and the extent thereof, of the State of Texas and the State Highway Department on the matters herein alleged; and in the event such suit is filed, service of citation and other legal process shall be upon the Chairman of the State Highway Commission of the State of Texas and upon the Attorney General of the State of Texas, and said suit shall be filed and tried in the same manner and under the same rules and regulations as govern the filing and trial of other civil cases, reserving to either party the right of appeal as provided by law; and, be it further

Resolved, That the sole purpose of this resolution is to grant permission to Rufus H. Ingo to file such suit and no admission of any type whatsoever, of fact or of law, against the interest of the State of Texas or the State Highway Department is or shall be made by this resolution; and, be it further

Resolved, That nothing contained in this resolution shall be construed as

an admission on the part of the State of Texas, the State Highway Department, or any of the departments or agencies of the State of Texas, or any of the political subdivisions of the State of Texas, as to the validity or merit of any allegations or claims, asserted or that may be asserted in such a lawsuit, but all allegations and claims asserted or that may be asserted in such lawsuit must be proved as in other suits under the same rules of evidence and the same laws as apply to and govern the trial of other civil cases; and, be it further

Resolved, That nothing herein shall be construed as a waiver of any defenses, of fact as well as of law, that may be asserted by or available to the State of Texas, the State Highway Department, or any of the departments or agencies of the State of Texas, or any of the political subdivisions of the State of Texas, in such suit, but all such defenses are hereby specifically reserved.

The resolution was referred to the Committee on Judiciary.

#### SCR 49—REFERRED TO COMMITTEE

(Granting Pearl Staggs, et vir, permission to sue the state, et al)

The Speaker laid before the House the following resolution:

#### SCR 49

Whereas, In 1963 and prior thereto, Pearl Staggs, joined by her husband, George E. Staggs, of Calcasu Parish, Louisiana, was the owner of a portion of Lots 5 and 6, Block 19, Range "I" of the lands of the Port Arthur Land Company, according to map or plat thereof recorded in Volume 1, Page 22, Map Records of Jefferson County, Texas, and being further identified as tract 9-A, R. W. 65-8-55, United States Highway No. 69; and

Whereas, It is alleged on or about the 20th day of June, 1963, Pearl Staggs, et vir, were in court attempting to adjudicate the amount of compensation due for the lands herein described, and it is alleged that in such trial testimony was given by officers, agents, or employees of the State Highway Department which was factually incorrect and which conceivably could be considered under a legal definition of perjury, and it is further alleged that such false testimony, if such was in fact false, caused and brought about an improper judgment in said case whereby Pearl Staggs, et vir, were prevented from receiving just and due compensation for the taking of their lands herein described; and

Whereas, It is further alleged that Pearl Staggs, et vir, sustained financial losses as a result of the alleged conduct of the State Highway Department, its officers, agents, and employees; and

Whereas, Pearl Staggs, et vir, is desirous of determining the liability, if any, under the Constitution and laws of the State of Texas and of the United States, of the State Highway Department and the State of Texas for the alleged taking of her property and the alleged damages to her person and her property rights by virtue thereof; and for that purpose she desires to file suit in a court of competent jurisdiction in the county where the land is situated, to wit, Jefferson County, to have such liability, if any, and the amount thereof, judicially ascertained and determined; now, therefore, be it

Resolved by the Senate of the State of Texas, the House of Representatives concurring, That Pearl Staggs, et vir, of Jefferson County, Texas, be and she is hereby granted permission to file suit against the State of Texas and the State Highway Department in a court of competent jurisdiction in Jefferson County, Texas, where such land is situated, to determine the liability, if any, and the extent thereof of the State of Texas and the State Highway Department on the matters herein alleged; and in the event such suit is filed, service of citation and other legal process shall be upon the Chairman of the State Highway Commission of the State of Texas and upon the Attorney General of the State of Texas, and said suit shall be filed and tried in the same manner and under the same rules and regulations as govern the filing and trial of other civil cases, reserving to either party the right of appeal as provided by law; and, be it further

Resolved, That the sole purpose of this resolution is to grant permission to Pearl Staggs, et vir, to file such suit and no admission of any type whatsoever, of fact or of law, against the interest of the State of Texas or the State Highway Department is or shall be made by this resolution; and, be it further

Resolved, That nothing contained in this resolution shall be construed as an admission on the part of the State of Texas, the State Highway Department, or any of the departments or agencies of the State of Texas, or any of the political subdivisions of the State of Texas, as to the validity or merit of any allegations or claims, asserted or that may be asserted in such a lawsuit, but all allegations and claims asserted or that may be asserted in such lawsuit must be proved as in other suits under the same rules of evidence and the same laws as apply to and govern the trial of other civil cases; and, be it further

Resolved, That nothing herein shall be construed as a waiver of any defenses, of fact as well as of law, that may be asserted by or available to the State of Texas, the State Highway Department, or any of the departments or agencies of the State of Texas, or any of the political subdivisions of the State of Texas, in such suit, but all such defenses are hereby specifically reserved.

The resolution was referred to the Committee on Judiciary.

#### SCR 50—REFERRED TO COMMITTEE

(Authorizing the State Building Commission to create certain parking area)

The Speaker laid before the House the following resolution:

#### SCR 50

Whereas, Vernon's Civil Statutes 678g requires that all public buildings in the State of Texas be made accessible to handicapped and disabled citizens, and charges the State Building Commission with the responsibility of meeting these construction standards; and

Whereas, Vernon's Annotated Penal Code, Article 861b, requires the prior consent of the Legislature to "construct, build, erect, or maintain any building, structure, memorial, monument, statue, concession or any other structure including creation of parking areas or the laying of additional paving on any of the grounds that surround the State Capitol on January 1, 1955 . . . ."; now, therefore, be it

Resolved by the Senate of the State of Texas, the House of Representatives concurring, That the State Building Commission be and is hereby authorized to create a parking area north of the Old Land Office (Museum) Building outside the Capitol fence adjacent to Twelfth Street on the Capitol Grounds in Austin, Texas, and construct a building access walk or ramp from the area around the north and west sides to the west entrance of the Old Land Office Building to provide access, primarily for handicapped and disabled citizens.

The resolution was referred to the Committee on Public Lands and Buildings.

(Mr. Spurlock in the Chair)

#### SENATE BILLS ON FIRST READING

The following Senate Bills were today laid before the House, read first time and referred to Committees, as follows:

SB 11 to the Committee on Appropriations.

SB 121 to the Committee on Appropriations.

SB 143 to the Committee on Judiciary.

SB 144 to the Committee on Judiciary.

SB 163 to the Committee on Parks and Wildlife.

SB 208 to the Committee on Urban Affairs.

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Representative Gammage entered the House and was announced present.

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#### SENATE BILLS ON FIRST READING—(continued)

SB 249 to the Committee on Livestock.

SB 279 to the Committee on Appropriations.

SB 292 to the Committee on Appropriations.

SB 298 to the Committee on Public Education.

SB 299 to the Committee on Higher Education.

SB 302 to the Committee on Parks and Wildlife.

SB 315 to the Committee on Counties.

SB 328 to the Committee on Counties.

SB 335 to the Committee on Judiciary.

SB 345 to the Committee on Judiciary.

SB 349 to the Committee on Highways and Roads.

SB 350 to the Committee on Motor Transportation.

SB 351 to the Committee on Motor Transportation.

SB 355 to the Committee on Judiciary.

SB 389 to the Committee on Criminal Jurisprudence.

SB 390 to the Committee on Criminal Jurisprudence.

SB 421 to the Committee on Higher Education.

SB 422 to the Committee on Revenue and Taxation.

SB 441 to the Committee on Higher Education.

SB 463 to the Committee on Governmental Affairs and Efficiency.

SB 475 to the Committee on Banks and Banking.

SB 487 to the Committee on Counties.

SB 492 to the Committee on Higher Education.

SB 507 to the Committee on Judiciary.

SB 508 to the Committee on Judicial Districts.

SB 514 to the Committee on Oil, Gas, and Mining.

SB 518 to the Committee on Counties.

SB 521 to the Committee on Judiciary.

SB 550 to the Committee on Counties.

SB 580 to the Committee on Urban Affairs.

SB 588 to the Committee on Parks and Wildlife.

SB 629 to the Committee on Oil, Gas, and Mining.

SB 634 to the Committee on Urban Affairs.

SB 662 to the Committee on Insurance.

SB 665 to the Committee on Governmental Affairs and Efficiency.

SB 679 to the Committee on Parks and Wildlife.

SB 680 to the Committee on Conservation and Reclamation.

SB 695 to the Committee on Higher Education.



SB 697 to the Committee on Conservation and Reclamation.

SB 698 to the Committee on Counties.

SB 712 to the Committee on Public Health.

SB 733 to the Committee on Judiciary.

SB 753 to the Committee on Judiciary.

SB 756 to the Committee on Governmental Affairs and Efficiency.

SB 775 to the Committee on Judiciary.

SB 781 to the Committee on Counties.

SB 807 to the Committee on Counties.

SB 811 to the Committee on Counties.

SB 828 to the Committee on Governmental Affairs and Efficiency.

SB 829 to the Committee on Governmental Affairs and Efficiency.

SB 830 to the Committee on Governmental Affairs and Efficiency.

SB 870 to the Committee on Judiciary.

SB 887 to the Committee on Judicial Districts.

SB 889 to the Committee on Higher Education.

SB 912 to the Committee on Banks and Banking.

(Speaker in the Chair)

#### BILL AND RESOLUTION SIGNED BY THE SPEAKER

The Speaker signed in the presence of the House, after giving due notice thereof, the following enrolled bill and resolution:

SB 909, Amending Article 6228b, Vernon's Texas Civil Statutes, to provide for selection of death-benefit plan by members.

SCR 79, To declare the drought to be a public calamity.

#### REPORT OF HOUSE GENERAL INVESTIGATING COMMITTEE

On motion of Mr. Cavness, the following report of the House General Investigating Committee was ordered printed in the Journal:

This Investigating Committee was created by virtue of HSR 89 adopted by this House on March 29, 1971. As its creator, you are entitled to and should know the general policy under which this committee proposes to function.

We intend to operate under and by virtue of the authority and to follow

the general guidelines this House has set down for us in this Resolution. You have given us some specific instructions; you have also given us general instructions to investigate other matters considered by the committee to be needed for the information of the Legislature and for the welfare and protection of the citizens of this state. We intend to comply conscientiously with your instructions and to report back to you as the occasion requires, consistent with good investigating principles. We do not intend to "telegraph our punches".

We have to date and intend to continue to work with the Attorney General's office so that the intention of this House as expressed in HSR 266 and HSR 89 will be carried out, effectively and efficiently.

The Attorney General's office has by letter requested the state agencies and persons named in HSR 266 to forward to them any information available covering the subject matter of that Resolution. Also the Attorney General's office has requested the Securities and Exchange Commission to furnish and specifically point out to it every bit of evidence contained in any deposition, statement or memorandum in its possession that would tend to prove its allegation of questionable conduct on the part of Members of the Texas Legislature in connection with legislation introduced and passed in the last session. We are hopeful that any such information will be forthcoming shortly from the Securities and Exchange Commission.

Two days after this Investigating Committee was officially appointed on April 13th, the Committee squeezed in a 20 minute meeting between House consideration of several important pieces of legislation. Today this Committee met for the second time to discuss policy and personnel matters. We shall continue to meet as often as pressing legislative duties will permit. There are only 6 weeks left in the Legislative Session and we feel priority must be given to consideration of pending legislation.

During this time, through special legal counsel to be employed by the Committee and through the Attorney General's office, facts and evidence will be gathered and evaluated. Committee meetings will be held as time will permit and necessity demands. Ample notice will be given to the press and the public when open meetings of the Committee are held.

I feel we have a responsible Committee. None of us asked for this job but we'll give you the best we have. We want and I feel we have the right to expect your cooperation. Unfortunately, we have some among us and a few of the press who are willing to judge and condemn even before the Committee has had time to organize. This will not deter us from what we feel is our obligation to this Legislature and to the people of Texas. I think you know we have no intentions of proceeding on a "witch-hunt". Neither do we intend to apply the "whitewash". We will carry out your mandate as we feel you would want us to, without fear or favor.

Signed: Menton J. Murray, Chairman.

#### RECESS

Mr. Cavness moved that the House recess until 2:00 p.m. today.

The motion prevailed without objection.

The House accordingly, at 12:11 p.m., recessed until 2:00 p.m. today.

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AFTERNOON SESSION

The House met at 2:00 p.m. and was called to order by the Speaker.

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Representatives Sanchez and Dee Jon Davis entered the House and were announced present.

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MASCOT RESOLUTION

The following Mascot Resolution was referred to the Committee on House Administration:

HSR 365, by Bowers: Naming Elizabeth Mary Earthman, Kathleen Marie Earthman, and John William Earthman Mascots of the House.

MEMORIAL RESOLUTION ADOPTED

The following Memorial Resolution was adopted unanimously by a rising vote:

HSR 366, by Carl Parker: In memory of Mrs. T. W. Corkins.

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Representative Atwell entered the House and was announced present.

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SB 11—COMMITTEE AMENDMENTS ORDERED NOT PRINTED

Mr. Heatly moved to suspend all necessary rules to not print Committee Amendment No. 1 and Committee Amendment No. 2 to SB 11.

There was no objection and it was so ordered.

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Representative Pickens entered the House and was announced present.

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HB 322 ON FINAL PASSAGE

The Speaker laid before the House, as postponed business, on its final passage,

HB 322, Relating to permits issued by the Texas Air Control Board.

The bill was read third time on April 15 and was postponed until 11:00 a.m. today.

The bill was passed by the following vote:

## Yeas—145

Adams	Doran	Kilpatrick	Rodriguez
Allen, Joe	Doyle	Kost	Rosson
Allen, John	Dramberger	Kubiak	Salem
Allred	Earthman	Lee	Salter
Angly	Farenthold	Lemmon	Sanchez
Atwell	Finck	Lewis	Santiesteban
Atwood	Finnell	Ligarde	Schulle
Baker	Finney	Lombardino	Semos
Bass, B.	Floyd	Longoria	Shannon
Bass, T.	Foreman	Lovell	Sherman
Beckham	Gammage	McAlister	Short
Bigham	Garcia	McKissack	Silber
Blanton	Golman	Mengden	Simmons
Blythe	Grant	Moncrief	Slack
Bowers	Graves	Moore, A.	Slider
Boyle	Hale	Moore, G.	Smith
Braecklein	Hanna, Joe	Moore, T.	Solomon
Braun	Hannah, John	Moreno	Spurlock
Burgess	Harding	Murray	Stewart
Bynum	Harris	Nabers	Stroud
Caldwell	Hawn	Nelms	Swanson
Calhoun	Haynes	Neugent, D.	Tarbox
Carrillo	Head	Newton	Traeger
Cates	Heatly	Nichols	Truan
Cavness	Hendricks	Niland	Tupper
Christian	Hilliard	Nugent, J.	Uher
Clark	Holmes, T.	Ogg	Vale
Clayton	Holmes, Z.	Orr	Von Dohlen
Coats	Howard	Parker, C.	Ward
Cobb	Hubenak	Parker, W.	Wieting
Cole	Hull	Patterson	Williams
Craddick	Ingram	Pickens	Williamson
Cruz	Johnson	Poerner	Wolff
Daniel	Jones, D.	Poff	Wyatt
Davis, D.	Jones, E.	Presnal	
Davis, H.	Jungmichel	Price	
Denton	Kaster	Reed	

Absent

Hawkins Jones, G.

Absent-Excused

Agnich Wayne

Mr. Nelms moved to reconsider the vote by which HB 322 was passed and to table the motion to reconsider.

The motion to table prevailed.

## MESSAGE FROM THE SENATE

Austin, Texas, April 19, 1971

Honorable Gus Mutscher, Speaker of the House of Representatives

Sir: I am directed by the Senate to inform the House that the Senate

has granted the request of the House for a Conference Committee to adjust the differences between the two Houses on HE 113.

The following have been appointed on the part of the Senate: Senators Wallace, Jordan, Mauzy, Harrington, and Kennard.

I am directed by the Senate to inform the House that the Senate has concurred in House Amendments to SJR 20 by 29 Yeas, 2 Nays.

I am directed by the Senate to inform the House that the Senate has concurred in House Amendments to SB 183 by 26 Yeas, 5 Nays.

I am directed by the Senate to inform the House that the Senate has refused to concur in House Amendments to SB 215 and requests the appointment of a Conference Committee to adjust the differences between the two Houses.

The following have been appointed on the part of the Senate: Senators Charles Herring, Tom Creighton, Oscar Mauzy, Barbara Jordan, and Chet Brooks.

I am directed by the Senate to inform the House that the Senate has passed the following:

HCR 112, By Heatly: Congratulating The University of Texas M. D. Anderson Hospital and Tumor Institute at Houston on its 30th anniversary.

HCR 113, By Heatly: Congratulating Charles Russell McNamee.

Respectfully,  
CHARLES A. SCHNABEL  
Secretary of the Senate

#### MOTION TO ADJOURN

Mr. Graves moved that the House adjourn until 10:00 a.m. tomorrow.

The motion to adjourn was lost by the following vote:

#### Yeas—17

Allred	Denton	Holmes, Z.	Rodriguez
Bass, B.	Farenthold	Moore, T.	Williamson
Bass, T.	Graves	Moreno	
Bigham	Hannah, John	Nichols	
Braun	Head	Reed	

#### Nays—126

Adams	Blythe	Carrillo	Cole
Allen, Joe	Bowers	Cates	Craddick
Allen, John	Boyle	Cavness	Cruz
Angly	Braecklein	Christian	Davis, D.
Atwell	Burgess	Clark	Davis, H.
Baker	Bynum	Clayton	Doran
Beckham	Caldwell	Coats	Doyle
Blanton	Calhoun	Cobb	Dramberger

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Earthman	Johnson	Nelms	Short
Finck	Jones, D.	Neugent, D.	Silber
Finnell	Jones, E.	Newton	Simmons
Finney	Jones, G.	Niland	Slack
Floyd	Jungmichel	Nugent, J.	Slider
Foreman	Kaster	Ogg	Smith
Gammage	Kilpatrick	Orr	Solomon
Garcia	Kost	Parker, C.	Spurlock
Golman	Kubiak	Parker, W.	Stewart
Grant	Lee	Patterson	Stroud
Hale	Lemmon	Pickens	Swanson
Hanna, Joe	Lewis	Poerner	Tarbox
Harding	Ligarde	Poff	Traeger
Hawkins	Lombardino	Presnal	Truan
Hawn	Longoria	Price	Tupper
Haynes	Lovell	Rosson	Uher
Heatly	McAlister	Salem	Von Dohlen
Hendricks	McKissack	Salter	Ward
Hilliard	Mengden	Sanchez	Wieting
Holmes, T.	Moncrief	Santiesteban	Williams
Howard	Moore, A.	Schulle	Wolff
Hubenak	Moore, G.	Semos	Wyatt
Hull	Murray	Shannon	
Ingram	Nabers	Sherman	

**Present—Not Voting**

Harris

**Absent**

Atwood                      Daniel                      Vale

**Absent-Excused**

Agnich                      Wayne

**SB 346 ON THIRD READING**  
(Mr. Hale—House Sponsor)

The Speaker laid before the House on its third reading and final passage,

SB 346, Providing for legal sale of mixed beverages on a local option basis.

The bill was read third time.

Mr. Hale offered the following amendment to the bill:

Amend SB 346, of the Second Printing on line 22, Page 28, by striking the word "private" and inserting the word "package."

The amendment was adopted without objection.

Mr. Doran offered the following amendment to the bill:

Amend Committee Amendment No. 1 to SB 346 by striking the quoted

Subdivision (1) of the quoted Section 11 in Section 4 of the bill and substituting the following:

"(1) That the applicant has been convicted in a court of competent jurisdiction for the violation of any provision of this Act during the two (2) years next preceding the filing of his application, or that three (3) years has not elapsed since the termination of any sentence, by pardon or otherwise, imposed upon the applicant upon conviction for a felony."

Signed: Doran, Baker, Harold Davis, and Dee Jon Davis.

The amendment was adopted without objection.

Mr. Williamson offered the following amendment to the bill:

Amend Committee Amendment No. 1 to SB 346 by adding a new Section 6(a) as follows:

Sec. 28. Section 12, Article I, Texas Liquor Control Act, as amended (Article 666-12b, Vernon's Texas Penal Code), is amended to read as follows:

"Regardless of any other provision of the Texas Liquor Control Act, the Commission or Administrator may for a first offense, cancel, or suspend for a period of time not to exceed sixty (60) days, after notice and hearing, any retail permit or license or any private club registration, including a mixed beverage permit granted under the provisions of Texas Liquor Control Act upon finding that the Permittee or Licensee, his agent, servant, or employee, has knowingly sold, served, dispensed, or delivered any alcoholic beverages to any person under the age of twenty-one (21) years, or has permitted any person under the age of twenty-one (21) years, who is not accompanied by his parent, legal guardian, or adult spouse, to possess (unless such underaged person is an employee of a Licensee or Permittee as permitted in the Texas Liquor Control Act) or consume any alcoholic beverage on his licensed premises. For the second such offense such permit or license may be cancelled, or suspended for not less than thirty (30) nor more than ninety (90) days. For a third such offense, such permit or license shall be cancelled and the permittee or licensee shall not be eligible for any license or permit granted under this act for a period of five (5) years.

"Provided, however, that if, at a hearing held for such purpose, such Permittee or Licensee establishes to the satisfaction of the Commission or Administrator that the violation complained of occurred under such circumstances as could not have reasonably been prevented by such Permittee or Licensee with the exercise of due diligence or that the Permittee or Licensee was entrapped, or that an agent, servant, or employee of such Permittee or Licensee has violated the provisions of this Section without the knowledge of the Permittee or Licensee, then the Commission or Administrator shall have the authority to relax the provisions of this Section concerning suspension and cancellation of the permit or license and to assess such sanctions as the Commission or Administrator may deem just under the circumstances."

Mr. Hale moved to table the above amendment.

The motion to table prevailed.

## VOTES RECORDED

Representatives Blythe, Kubiak and Presnal requested to be recorded as voting Nay on the motion to table the amendment by Mr. Williamson to SB 346.

Mr. Williamson offered the following amendment to the bill:

Amend Committee Amendment No. 1 to SB 346, Second Printing, by substituting "eighteen (18)" for "sixteen (16)" on page 26, line 37.

Mr. Hale moved to table the above amendment.

The motion to table prevailed.

## VOTES RECORDED

Mr. Blythe and Mr. Kubiak requested to be recorded as voting Nay on the motion to table the amendment by Mr. Williamson to SB 346.

Mr. Williamson offered the following amendment to the bill:

Amend Committee Amendment Number 1 to SB 346 by adding a new Section 11 to read as follows and renumbering the succeeding sections accordingly:

Section 11. Article I, Texas Liquor Control Act, as amended (Articles 666-1, et seq., Vernon's Texas Penal Code), is amended by adding a Section 11-b to read as follows:

"Section 11-b. (a) If a Mixed Beverage Permittee, his agent, or employee, sells or gives any alcoholic beverage to an intoxicated person, and that person, as a result of his intoxication, causes personal injury, death, or property damage to another, the permittee, agent, or employee shall be liable for all just damages.

"(b) The doctrine of respondeat superior is expressly made applicable to the permittee in all actions brought under this section.

"(c) No person may be issued a Mixed Beverage Permit unless he files a bond, approved by the Commission or Administrator, or proof that he is protected by a liability insurance policy, issued by a company licensed to do business in this state, which provides at least the following coverage for liability arising under this section:

"(1) a minimum of \$10,000 per injured person;

"(2) a minimum of \$20,000 per death; and

"(3) a minimum of \$30,000 per occurrence.

"(d) All persons liable under the provisions of this Section are jointly and severally liable.

"(e) The Commission or Administrator shall cancel, with or without a hearing, the permit of any Mixed Beverage Permittee if the bond or insurance policy required by subsection (c) of this section ceases to be valid.



"(f) The Commission or Administrator may issue reasonable rules and regulations pursuant to this Section."

Mr. McKissack moved to table the above amendment.

The motion to table prevailed.

#### VOTES RECORDED

Mr. Blythe and Mr. Kubiak requested to be recorded as voting Nay on the motion to table the amendment by Mr. Williamson to SB 346.

Mr. Williamson offered the following amendment to the bill:

Amend SB 346, Second Printing on page 24, line 1 by the addition of a new Section 8 and renumbering the subsequent Sections accordingly:

Section 8. Article I, Texas Liquor Control Act, as amended (Article 666-1, et seq., Vernon's Texas Penal Code), is amended by adding a Section 14-a to read as follows:

"Section 14-a. No later than 30 days following the granting of an original or renewal permit to sell or serve alcoholic beverages under the authority of Article I of this Act, the District or County Attorney of the county in which the establishment is located may appeal the granting of the permit to the District Court of the county. The basis for the appeal shall be that the permit was granted contrary to the provisions of this Act or of the rules or regulations of the Commission. The appeal shall be filed as an original action with the District or County Attorney as plaintiff and the Administrator as defendant. The court shall give the matter preferential setting, and the District or County Attorney shall prosecute the case to final judgment. An appeal to the district court from the granting of a renewal permit shall not supersede the action of the Commission. The court may, in the case of an appeal from the granting of an original permit, order that the action of the Commission be superseded pending the appeal. The final judgment of the district court shall either uphold or reverse the action of the Commission, and either party may appeal the judgment."

Mr. Hale moved to table the above amendment.

Mr. Salter raised a point of order against further consideration of SB 346 on the grounds that it violates Rule 19, Section 1 of the House Rules.

The Speaker overruled the point of order.

A record vote was requested on the motion to table the Williamson amendment.

The motion to table was lost by the following vote:

Yeas—71

Atwell	Carrillo	Doran	Garcia
Atwood	Clark	Finck	Golman
Blanton	Coats	Finney	Hale
Boyle	Cobb	Floyd	Harding
Braecklein	Cruz	Foreman	Harris

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Hawn	Ligarde	Parker, C.	Spurlock
Haynes	Lombardino	Parker, W.	Stroud
Hilliard	Longoria	Poerner	Swanson
Hubenak	McKissack	Salem	Tarbox
Hull	Moncrief	Sanchez	Traeger
Johnson	Moore, A.	Santiesteban	Tupper
Jones, D.	Moore, G.	Schulle	Uher
Jungmichel	Murray	Semos	Vale
Kaster	Nelms	Shannon	Von Dohlen
Kilpatrick	Neugent, D.	Sherman	Williams
Kost	Niland	Silber	Wolff
Lemmon	Ogg	Simmons	Wyatt
Lewis	Orr	Slack	

**Nays—74**

Adams	Christian	Head	Patterson
Allen, Joe	Clayton	Heatly	Pickens
Allen, John	Cole	Hendricks	Poff
Allred	Craddick	Holmes, T.	Presnal
Angly	Daniel	Howard	Price
Baker	Davis, D.	Ingram	Reed
Bass, B.	Davis, H.	Jones, E.	Rodriguez
Bass, T.	Denton	Jones, G.	Rosson
Beckham	Doyle	Kubiak	Salter
Bigham	Dramberger	Lee	Short
Blythe	Earthman	Lovell	Slider
Bowers	Farenthold	McAlister	Solomon
Braun	Finnell	Mengden	Stewart
Burgess	Gammage	Moore, T.	Truan
Bynum	Grant	Moreno	Ward
Caldwell	Graves	Nabers	Wieting
Calhoun	Hanna, Joe	Newton	Williamson
Cates	Hannah, John	Nichols	
Cavness	Hawkins	Nugent, J.	

**Absent**

Holmes, Z.	Smith
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**Absent-Excused**

Agnich	Wayne
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The amendment failed of adoption by the following vote (not receiving the necessary two-thirds vote):

**Yeas—77**

Adams	Beckham	Calhoun	Daniel
Allen, Joe	Bigham	Cates	Davis, D.
Allen, John	Blythe	Cavness	Davis, H.
Allred	Bowers	Christian	Denton
Angly	Braun	Clayton	Doyle
Baker	Burgess	Coats	Dramberger
Bass, B.	Bynum	Cole	Earthman
Bass, T.	Caldwell	Craddick	Farenthold

Finnell	Howard	Nabers	Salter
Gammage	Ingram	Nelms	Short
Grant	Jones, E.	Newton	Slider
Graves	Jones, G.	Nichols	Solomon
Hanna, Joe	Kubiak	Nugent, J.	Stewart
Hannah, John	Lee	Orr	Truan
Hawkins	Lovell	Patterson	Ward
Head	McAlister	Poff	Wieting
Heatly	Mengden	Presnal	Williamson
Hendricks	Moore, A.	Price	
Holmes, T.	Moore, T.	Reed	
Holmes, Z.	Moreno	Rosson	

## Nays—66

Atwell	Harris	Moncrief	Simmons
Atwood	Hawn	Moore, G.	Slack
Blanton	Haynes	Murray	Smith
Boyle	Hilliard	Neugent, D.	Spurlock
Braecklein	Hubenak	Niland	Stroud
Carrillo	Hull	Ogg	Swanson
Cobb	Johnson	Parker, C.	Tarbox
Cruz	Jungmichel	Parker, W.	Traeger
Doran	Kaster	Poerner	Tupper
Finck	Kilpatrick	Salem	Uher
Finney	Kost	Sanchez	Vale
Floyd	Lemmon	Santiesteban	Von Dohlen
Foreman	Lewis	Schulle	Williams
Garcia	Ligarde	Semos	Wolff
Golman	Lombardino	Shannon	Wyatt
Hale	Longoria	Sherman	
Harding	McKissack	Silber	

## Absent

Clark	Jones, D.	Pickens	Rodriguez
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## Absent-Excused

Agnich	Wayne
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Mr. McAlister offered the following amendment to the bill:

Amend Committee Amendment No. 1 to SB 346 by adding a Section\_\_\_\_\_ to read as follows:

Section\_\_\_\_\_ Section 17, Article I, Texas Liquor Control Act, as amended (Article 666-17, Vernon's Texas Penal Code), is amended by adding a Subsection (38) to read as follows:

“(38) (a) Each holder of a permit or license issued under this Act shall display in a prominent place on his premises a sign, with letters at least four inches high, stating:

Avoid Alcoholic Addiction.

“(b) A permittee or licensee who violates this section is guilty of a

misdemeanor and, upon conviction, shall be punished by a fine of not more than \$25."

Mr. McKissack moved to table the above amendment.

The motion to table prevailed.

#### VOTES RECORDED

Mr. Kubiak and Mr. Blythe requested to be recorded as voting Nay on the motion to table the amendment by Mr. McAlister to SB 346.

Mr. Hale offered the following amendment to the bill:

Amend SB 346 on page 31, line 32 of the House Second Printing, by striking the word "Board" and substituting in lieu thereof the word "Commission."

The amendment was adopted without objection.

Mr. Rodriguez offered the following amendment to the bill:

Amend Section 8 of SB 346 by striking the second sentence of the quoted Subsection (22) and substituting the following:

"The annual fee for a Mixed Beverage Permit issued for an establishment which, according to the findings or regulations of the fire department or fire marshal exercising authority over the establishment, has a seating capacity of not more than one hundred (100) persons, is Two Thousand Dollars (\$2,000) for the original permit, One Thousand Dollars (\$1,000) for the first annual renewal, and Two Hundred Fifty Dollars (\$250) for each subsequent annual renewal. In all other cases the annual state fee is Two Thousand Dollars (\$2,000) for the original permit, One Thousand Five Hundred Dollars (\$1,500) for the first annual renewal, One Thousand Dollars (\$1,000) for the second annual renewal, and Five Hundred Dollars (\$500) for each subsequent annual renewal."

Mr. Hale moved to table the above amendment.

A record vote was requested.

The motion to table prevailed by the following vote:

Yeas—131

Adams	Blythe	Clayton	Finck
Allen, Joe	Bowers	Coats	Finnell
Allen, John	Boyle	Cobb	Finney
Allred	Braecklein	Cole	Floyd
Angly	Braun	Craddick	Foreman
Atwell	Burgess	Cruz	Gammage
Baker	Bynum	Daniel	Garcia
Bass, B.	Calhoun	Davis, D.	Golman
Bass, T.	Cates	Davis, H.	Grant
Beckham	Cavness	Doran	Graves
Bigham	Christian	Doyle	Hale
Blanton	Clark	Earthman	Hanna, Joe

Hannah, John	Kost	Nugent, J.	Simmons
Harding	Kubiak	Ogg	Slack
Hawn	Lee	Orr	Slider
Haynes	Lemmon	Parker, C.	Smith
Head	Lewis	Parker, W.	Solomon
Heatly	Lombardino	Patterson	Spurlock
Hendricks	Lovell	Pickens	Stewart
Hilliard	McAlister	Poff	Stroud
Holmes, T.	McKissack	Presnal	Swanson
Holmes, Z.	Mengden	Price	Tarbox
Howard	Moncrief	Reed	Traeger
Hubenak	Moore, A.	Rosson	Tupper
Hull	Moore, G.	Salem	Uher
Ingram	Moore, T.	Salter	Von Dohlen
Johnson	Moreno	Santiesteban	Ward
Jones, D.	Murray	Schulle	Wieting
Jones, J.	Nabers	Semos	Williams
Jones, G.	Nelms	Shannon	Williamson
Jungmichel	Neugent, D.	Sherman	Wolff
Kaster	Newton	Short	Wyatt
Kilpatrick	Niland	Silber	

**Nays—16**

Atwood	Dramberger	Ligarde	Rodriguez
Caldwell	Farenthold	Longoria	Sanchez
Carrillo	Harris	Nichols	Truan
Denton	Hawkins	Poerner	Vale

**Absent-Excused**

Agnich                      Wayne

(Mr. Foreman occupied the Chair temporarily)

(Speaker in the Chair)

SB 346, as amended, was passed by the following vote:

**Yeas—95**

Allen, Joe	Cobb	Hale	Lemmon
Allen, John	Craddick	Harding	Lewis
Angly	Cruz	Harris	Ligarde
Atwell	Davis, H.	Hawn	Lombardino
Atwood	Doran	Haynes	Longoria
Blanton	Doyle	Hilliard	McAlister
Blythe	Dramberger	Hubenak	McKissack
Bowers	Earthman	Hull	Mengden
Boyle	Finck	Johnson	Moncrief
Braecklein	Finney	Jones, D.	Moore, G.
Braun	Floyd	Jones, E.	Moreno
Bynum	Foreman	Jungmichel	Murray
Carrillo	Gammage	Kaster	Nelms
Cavness	Garcia	Kilpatrick	Neugent, D.
Clark	Golman	Kost	Newton
Coats	Graves	Lee	Niland

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Ogg	Santiesteban	Slack	Uher
Orr	Schulle	Slider	Vale
Parker, W.	Semos	Spurlock	Von Dohlen
Pickens	Shannon	Stroud	Wieting
Poerner	Sherman	Swanson	Williams
Presnal	Short	Traeger	Wolff
Salem	Silber	Truan	Wyatt
Sanchez	Simmons	Tupper	

## Nays—52

Adams	Cole	Holmes, T.	Patterson
Allred	Daniel	Holmes, Z.	Poff
Baker	Davis, D.	Howard	Price
Bass, B.	Denton	Ingram	Reed
Bass, T.	Farenthold	Jones, G.	Rodriguez
Beckham	Finnell	Kubiak	Rosson
Bigham	Grant	Lovell	Salter
Burgess	Hanna, Joe	Moore, A.	Smith
Caldwell	Hannah, John	Moore, T.	Solomon
Calhoun	Hawkins	Nabers	Stewart
Cates	Head	Nichols	Tarbox
Christian	Heatly	Nugent, J.	Ward
Clayton	Hendricks	Parker, C.	Williamson

## Absent-Excused

Agnich                      Wayne

## HB 97 ON THIRD READING

The Speaker laid before the House on its third reading and final passage,

HB 97, Authorizing State Highway Department to raise pecan trees on public highways.

The bill was read third time and was passed by the following vote:

## Yeas—139

Adams	Burgess	Davis, H.	Hanna, Joe
Allen, Joe	Bynum	Denton	Harding
Allen, John	Caldwell	Doyle	Harris
Allred	Calhoun	Dramberger	Hawkins
Angly	Carrillo	Earthman	Hawn
Atwell	Cates	Farenthold	Haynes
Atwood	Cavness	Finck	Head
Baker	Christian	Finnell	Heatly
Bass, T.	Clark	Finney	Hendricks
Beckham	Clayton	Floyd	Hilliard
Bigham	Coats	Foreman	Holmes, T.
Blanton	Cobb	Gammage	Holmes, Z.
Blythe	Cole	Garcia	Howard
Bowers	Craddick	Golman	Hubenak
Boyle	Cruz	Grant	Hull
Braecklein	Daniel	Graves	Ingram
Braun	Davis, D.	Hale	Johnson

Jones, D.	Moore, T.	Price	Solomon
Jones, E.	Moreno	Reed	Spurlock
Jungmichel	Murray	Rodriguez	Stewart
Kaster	Nabers	Rosson	Stroud
Kilpatrick	Nelms	Salem	Swanson
Kost	Neugent, D.	Salter	Tarbox
Kubiak	Newton	Sanchez	Traeger
Lee	Niland	Santiesteban	Truan
Lemmon	Nugent, J.	Schulle	Tupper
Lewis	Ogg	Semos	Vale
Ligarde	Orr	Shannon	Von Dohlen
Lombardino	Parker, C.	Sherman	Ward
Longoria	Parker, W.	Short	Wieting
McAlister	Patterson	Silber	Williams
McKissack	Pickens	Simmors	Williamson
Moncrief	Poerner	Slack	Wolff
Moore, A.	Poff	Slider	Wyatt
Moore, G.	Presnal	Smith	

## Nays—4

Doran	Lovell	Mengden	Uher
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## Absent

Bass, B.	Hannah, John	Jones, G.	Nichols
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## Absent-Excused

Agnich	Wayne
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## HB 369 ON THIRD READING

The Speaker laid before the House on its third reading and final passage,

HB 369, Allowing Board of Regents to sell East Texas State University land, etc.

The bill was read third time and was passed by the following vote:

## Yeas—146

Adams	Boyle	Cole	Floyd
Allen, Joe	Braecklein	Craddick	Foreman
Allen, John	Braun	Cruz	Gammage
Allred	Burgess	Daniel	Garcia
Angly	Bynum	Davis, D.	Golman
Atwell	Caldwell	Davis, H.	Grant
Atwood	Calhoun	Denton	Graves
Baker	Carrillo	Doran	Hale
Bass, B.	Cates	Doyle	Hanna, Joe
Bass, T.	Cavness	Dramberger	Hannah, John
Beckham	Christian	Earthman	Harding
Bigham	Clark	Farenthold	Harris
Blanton	Clayton	Finck	Hawkins
Blythe	Coats	Finnell	Hawn
Bowers	Cobb	Finney	Haynes

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Head	Ligarde	Parker, C.	Slack
Heatly	Lombardino	Parker, W.	Slider
Hendricks	Longoria	Patterson	Smith
Hilliard	Lovell	Pickens	Solomon
Holmes, T.	McAlister	Poerner	Spurlock
Holmes, Z.	McKissack	Poff	Stewart
Howard	Mengden	Presnal	Stroud
Hubenak	Moncrief	Price	Swanson
Hull	Moore, A.	Reed	Tarbox
Ingram	Moore, G.	Rodriguez	Traeger
Johnson	Moore, T.	Rosson	Truan
Jones, D.	Moreno	Salem	Tupper
Jones, E.	Murray	Salter	Vale
Jones, G.	Nabers	Sanchez	Von Dohlen
Jungmichel	Nelms	Santiesteban	Ward
Kaster	Neugent, D.	Schulle	Wieting
Kilpatrick	Newton	Semos	Williams
Kost	Nichols	Shannon	Williamson
Kubiak	Niland	Sherman	Wolff
Lee	Nugent, J.	Short	Wyatt
Lemmon	Ogg	Silber	
Lewis	Orr	Simmons	

Nays—1

Uher

Absent-Excused

Agnich                      Wayne

Mr. Cole moved to reconsider the vote by which HB 369 was passed and to table the motion to reconsider.

The motion to table prevailed.

#### SB 346—VOTE RECONSIDERED

Mr. Hale moved to reconsider the vote by which SB 346 was passed.

The motion to reconsider prevailed by the following vote:

Yeas—101

Allen, Joe	Cavness	Floyd	Holmes, Z.
Allen, John	Clark	Foreman	Hubenak
Angly	Coats	Gammage	Hull
Atwell	Craddick	Garcia	Johnson
Atwood	Cruz	Golman	Jones, D.
Blanton	Davis, D.	Grant	Jones, E.
Blythe	Davis, H.	Graves	Jungmichel
Bowers	Doran	Hale	Kaster
Boyle	Doyle	Harding	Kilpatrick
Braecklein	Dramberger	Harris	Kost
Braun	Earthman	Hawn	Lee
Bynum	Finck	Haynes	Lemmon
Carrillo	Finney	Hilliard	Lewis



Ligarde	Newton	Schulle	Traeger
Lombardino	Niland	Semos	Truan
Longoria	Ogg	Shannon	Tupper
McAlister	Orr	Sherman	Uher
McKissack	Parker, C.	Short	Vale
Mengden	Parker, W.	Silber	Von Dohlen
Moncrief	Pickens	Simmons	Wieting
Moore, A.	Poerner	Slack	Williams
Moore, G.	Presnal	Slider	Wolff
Moreno	Rodriguez	Spurlock	Wyatt
Murray	Salem	Stroud	
Nelms	Sanchez	Swanson	
Neugent, D.	Santiesteban	Tarbox	

## Nays—46

Adams	Clayton	Hendricks	Poff
Allred	Cobb	Holmes, T.	Price
Baker	Cole	Howard	Reed
Bass, B.	Daniel	Ingram	Rosson
Bass, T.	Denton	Jones, G.	Salter
Beckham	Farenthold	Kubiak	Smith
Bigham	Finnell	Lovell	Solomon
Burgess	Hanna, Joe	Moore, T.	Stewart
Caldwell	Hannah, John	Nabers	Ward
Calhoun	Hawkins	Nichols	Williamson
Cates	Head	Nugent, J.	
Christian	Heatly	Patterson	

## Absent-Excused

Agnich                      Wayne

The vote of the House was taken on passage of SB 346 and the vote was announced Yeas 104, Nays 44.

A verification of the vote was requested and was granted.

The roll of those voting Yea was again called and the verified vote resulted as follows:

## Yeas—104

Mr. Speaker	Caldwell	Finck	Hilliard
Allen, Joe	Carrillo	Finney	Hubenak
Allen, John	Cavness	Floyd	Hull
Angly	Clark	Foreman	Johnson
Atwell	Coats	Gammage	Jones, D.
Atwood	Cobb	Garcia	Jones, E.
Baker	Craddick	Golman	Jungmichel
Blanton	Cruz	Grant	Kaster
Blythe	Davis, D.	Graves	Kilpatrick
Bowers	Davis, H.	Hale	Kost
Boyle	Doran	Harding	Lee
Braecklein	Doyle	Harris	Lemmon
Braun	Dramberger	Hawn	Lewis
Bynum	Earthman	Haynes	Ligarde

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Lombardino	Newton	Santiesteban	Swanson
Longoria	Niland	Schulle	Tarbox
McAlister	Ogg	Semos	Traeger
McKissack	Orr	Shannon	Truan
Mengden	Parker, C.	Sherman	Tupper
Moncrief	Parker, W.	Short	Uher
Moore, A.	Pickens	Silber	Vale
Moore, G.	Poerner	Simmons	Von Dohlen
Moreno	Presnal	Slack	Wieting
Murray	Rodriguez	Slider	Williams
Nelms	Salem	Spurlock	Wolff
Neugent, D.	Sanchez	Stroud	Wyatt

**Nays—44**

Adams	Cole	Holmes, T.	Patterson
Allred	Daniel	Holmes, Z.	Poff
Bass, B.	Denton	Howard	Price
Bass, T.	Farenthold	Ingram	Reed
Beckham	Finnell	Jones, G.	Rosson
Bigham	Hanna, Joe	Kubiak	Salter
Burgess	Hannah, John	Lovell	Smith
Calhoun	Hawkins	Moore, T.	Solomon
Cates	Head	Nabers	Stewart
Christian	Heatly	Nichols	Ward
Clayton	Hendricks	Nugent, J.	Williamson

**Absent-Excused**

**Agnich**                      **Wayne**

By unanimous consent, the House dispensed with the verification of those voting Nay.

The Speaker stated that SB 346 was passed by the above vote.

**REASON FOR VOTE**

I voted for SB 346 on third reading today only because it was apparent that the bill was going to pass. Had I been present Friday I would have voted against the bill. If we are going to have liquor-by-the-drink anyway, we should go ahead and put it into effect so that we can raise several million more tax dollars from those who want to drink. Also by putting the bill on the ballot on May 18th we will save the counties many dollars by not requiring a separate election.

Signed: James L. Slider

**REASON FOR VOTE**

I voted against final passage of SB 346, although a proponent of liquor-by-the-drink legislation, because I think it is too important a piece of legislation to be pushed into immediate effect without further reflection which could be afforded by a conference committee. Surely, it is no emergency matter at this point. Having been victimized by legislative haste in the past session, I will not knowingly participate in such practices again.

Signed: Frances Tarlton Farenthold

## HB 186 ON THIRD READING

The Speaker laid before the House on its third reading and final passage,

HB 186, Prohibiting disruption of school activities on public property, etc.

The bill was read third time and was passed by the following vote:

## Yeas—142

Adams	Dramberger	Kaster	Rodriguez
Allen, Joe	Earthman	Kilpatrick	Rosson
Allen, John	Farenthold	Kost	Salem
Allred	Finck	Kubiak	Salter
Angly	Finnell	Lee	Sanchez
Atwell	Finney	Lemmon	Santiesteban
Atwood	Floyd	Lewis	Schulle
Baker	Foreman	Ligarde	Semos
Bass, B.	Gammage	Lombardino	Shannon
Bass, T.	Garcia	Longoria	Sherman
Beckham	Golman	Lovell	Short
Bigham	Grant	McAlister	Silber
Blanton	Graves	McKissack	Simmons
Blythe	Hale	Mengden	Slack
Bowers	Hanna, Joe	Moncrief	Slider
Boyle	Hannah, John	Moore, A.	Smith
Braecklein	Harding	Moreno	Solomon
Braun	Harris	Murray	Spurlock
Burgess	Hawkins	Nabers	Stewart
Calhoun	Hawn	Nelms	Stroud
Carrillo	Haynes	Neugent, D.	Swanson
Cates	Head	Newton	Tarbox
Cavness	Heatly	Nichols	Traeger
Christian	Hendricks	Niland	Truan
Clark	Hilliard	Nugent, J.	Tupper
Clayton	Holmes, T.	Ogg	Uher
Coats	Holmes, Z.	Orr	Vale
Cobb	Howard	Parker, C.	Von Dohlen
Cole	Hubenak	Parker, W.	Ward
Craddick	Hull	Patterson	Wieting
Cruz	Ingram	Pickens	Williams
Daniel	Johnson	Poerner	Williamson
Davis, D.	Jones, D.	Poff	Wolff
Davis, H.	Jones, E.	Presnal	Wyatt
Denton	Jones, G.	Price	
Doran	Jungmichel	Reed	

## Nays—1

Moore, T.

## Absent

Bynum	Caldwell	Doyle	Moore, G.
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## Absent-Excused

Agnich	Wayne
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Mr. Stewart moved to reconsider the vote by which HB 186 was passed and to table the motion to reconsider.

The motion to table prevailed.

#### HB 242 ON THIRD READING

The Speaker laid before the House on its third reading and final passage,

HB 242, Providing additional and pro rata compensation for district judge of 75th Judicial District.

The bill was read third time and was passed by the following vote:

#### Yeas—141

Adams	Earthman	Kilpatrick	Rodriguez
Allen, John	Farenthold	Kost	Rosson
Allred	Finck	Kubiak	Salem
Atwell	Finnell	Lee	Salter
Atwood	Finney	Lemmon	Sanchez
Baker	Floyd	Lewis	Santiesteban
Bass, B.	Foreman	Ligarde	Schulle
Bass, T.	Gammage	Lombardino	Semos
Beckham	Garcia	Longoria	Shannon
Bigham	Golman	Lovell	Sherman
Blanton	Grant	McAlister	Short
Blythe	Graves	McKissack	Silber
Bowers	Hale	Mengden	Simmons
Boyle	Hanna, Joe	Moncrief	Slack
Braecklein	Hannah, John	Moore, A.	Slider
Braun	Harding	Moore, G.	Smith
Burgess	Harris	Moore, T.	Solomon
Bynum	Hawkins	Moreno	Spurlock
Calhoun	Hawn	Murray	Stewart
Carrillo	Haynes	Nabers	Stroud
Cates	Head	Nelms	Swanson
Cavness	Heatly	Neugent, D.	Tarbox
Christian	Hendricks	Newton	Traeger
Clark	Hilliard	Nichols	Truan
Clayton	Holmes, T.	Niland	Tupper
Coats	Holmes, Z.	Nugent, J.	Vale
Cobb	Howard	Orr	Von Dohlen
Cole	Hubenak	Parker, C.	Ward
Craddick	Hull	Parker, W.	Wieting
Cruz	Ingram	Patterson	Williams
Daniel	Johnson	Pickens	Williamson
Davis, D.	Jones, D.	Poerner	Wolff
Davis, H.	Jones, E.	Poff	Wyatt
Denton	Jones, G.	Presnal	
Doran	Jungmichel	Price	
Dramberger	Kaster	Reed	

Present—Not Voting

Uher

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**Absent**

Allen, Joe            Caldwell            Doyle            Ogg  
Angly

**Absent-Excused**

Agnich            Wayne

Mr. Daniel moved to reconsider the vote by which HB 242 was passed and to table the motion to reconsider.

The motion to table prevailed.

**NOTICE GIVEN**

Mr. Pickens gave notice that he would on the next Legislative Day call from the Journal the motion to reconsider the vote by which HB 461 failed to pass on March 23.

**ADJOURNMENT**

Mr. Braun moved that the House adjourn until 10:30 a.m. tomorrow.

The motion prevailed without objection.

The House accordingly, at 4:50 p.m., adjourned until 10:30 a.m. tomorrow.

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**APPENDIX**

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**STANDING COMMITTEE REPORTS**

Favorable reports have been filed by Committees on bills and resolutions, as follows:

Appropriations: SB 11, SB 56.

Judiciary: HB 789.

Military Affairs: HB 144.

Engrossed and Enrolled Bills: Correctly engrossed—HB 16, HB 214, HB 287, HB 292, HB 306, HB 352, HB 387, HB 438, HB 445, HB 446, HB 449, HB 451, HB 468, HB 479, HB 480, HB 481, HB 505, HB 508, HB 564, HB 572, HB 592, HB 615, HB 625, HB 635, HB 637, HB 667, HB 676, HB 691, HB 692, HB 729, HB 738, HB 752, HB 785, HB 797, HB 837, HB 900, HB 936, HB 948, HB 1123, HB 1125, HB 1156, HB 1162, HB 1175, HB 1295, HB 1296, HB 1323, HB 1610, HCR 61, HCR 67, HCR 114, HCR 115.

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**FIFTY-SEVENTH DAY—TUESDAY, APRIL 20, 1971**

The House met at 10:30 a.m. and was called to order by the Speaker.